

The Intelligencer.

Contested Elections.

The grounds on which Major Sweeney proposes to contest Mr. Ripley's election to the City Serjeanty have not yet been officially given to the public. It is possible that they may be furnished to the Council at its meeting to-night. We understand that two of the allegations are (1) that on some tickets the name of Ripley was pasted, by means of a printed slip, over that of Sweeney, and (2) that some tickets were counted for Ripley that read "Mr. Ripley" instead of Stephen W. Ripley.

We do not see how the Major can make these two objections hold water. The practice of pasting slips of this kind over one or more names on a ticket, is not new, either in this community or elsewhere, and however objectionable the practice may be yet it is not illegal, and so far as results are concerned it is six of one and half a dozen of the other to the two political parties.

Our law presumes when a man votes a pasted ticket that he does so after reading it. He has his own opinion either to scratch out a name and write another in its place or paste a printed name over it. He can do either, and his vote is just as good in one case as in the other. It is too late in the day to raise such a point. In the case of John C. Hervey versus Lewis Baker, which occurred several years ago, the most celebrated case of pasted tickets, no contest was attempted by Mr. Hervey. He could not prove who cast those votes, for the reason that those who cast them unwittingly could not, of course, swear to the fact of having voted a pasted ticket, and thus, as Mr. Weller would say, "the witness was dead to begin with."

As regards the other allegation, that of voting for "Mr. Ripley," there is nothing in that. The law says (see Act of 1872-73, page 319) that "no error or mistake in the designation of the officer or person shall vitiate any ballot, or cause it to be rejected from the count, if it be manifest what was intended by the voter."

If this provision of the law has any meaning whatever, it means that when a man is running for an office for which no other man by the same surname is a candidate, he can be sufficiently designated by his surname. His Christian name is not a necessity. The law presumes, in other words, that a man who votes for Mr. Ripley for City Serjeant votes for Stephen W. Ripley, provided that Stephen W. Ripley was notoriously a candidate for said office and no other Ripley was in the field as a competitor.

Under these circumstances we think that the Major had as well make up his mind to submit to the verdict of the people as to rendered. He had a fair chance to be elected and was left out in the cold. He had the Democratic nomination and a divided opposition, and yet could not make a success of the race, and we are at a loss to see how he is to set the result aside by carrying it up to Council. We doubt whether there is an accident company in the country that would insure his chance for 99 cents on the dollar.

Doing Away with Drummers.

We are in receipt of a circular from an Eastern manufacturing company calling our attention to the fact that they have concluded to do away with the expense of commercial travelers, and setting forth that they can sell us supplies in our line of business for less money than heretofore on this account. This claim looks reasonable enough, and yet we doubt whether any concern in the country can compete successfully for business by cutting off the very warp and wool of business as now conducted. There is scarcely a business house in the land that does not employ one or more drummers. Many of them are as numerous as an army with banners and almost as terrible. The cars and hotels find them their chief customers. Go where you will, to cities, to towns, villages or cross-roads, you are sure to meet with the inevitable commercial traveler. Even the remotest merchant, in the wilds of the wildest country in this or any other State of the Union, is visited by these irrepressible travelers. He has no occasion to ever leave home in order to buy goods. He can buy by sample all the year round, and on almost any day in the year. Secluded as he is he cannot escape the drummer. He may hope to escape the tax gatherer but not the drummer. No man who buys and sells can escape the drummer. The drummer is the all pervading presence of our railroad civilization. He is the ubiquitous individual of modern times.

To sell goods in this way costs a vast amount of money to somebody. The important question is, who pays this expense? Is it the manufacturer, jobber, retailer or consumer? Is the outlay distributed among all these, or does the man who eats, drinks or wears, or otherwise consumes the goods sold, pay this expense? As we have said, somebody pays it.

Following the analogy of rents and taxes, we should say that the consumer pays the expenses of the drummer system. How can it be otherwise? The manufacturer computes every element of expense in disposing of his goods to the jobber. He must necessarily do so. One expense is the same as another—whether it be the expense of the drummer system, or the expense of the manufacturer and jobber, or the expense of the consumer, it is the same.

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000 worth of goods disposed of. These two parties saddle all their expenses on the retailer, in turn saddles all of his expenses on the consumer.

The aggregate amount paid for the salaries and traveling expenses of drummers is simply enormous. It goes up into the millions every year. And it is all assessed at last on the consumer. Could this immense expense be saved, goods of all kind could be sold very much cheaper. No doubt of that. There was a time when there were no drummers. Those were the ante-railroad days. The easy facilities for travel afforded by the country the drummer system in all its present multitudinous power and glory. The system is now as much a part of commerce as the system of book-keeping, and there is scarcely any more probability that the former will be superseded than that the latter will be abolished. The circular before us is not the first one sent out by houses that have grown weary of the drummer system. We have yet to hear, however, of any important success achieved by any house known to fame. The celebrated firm of John Nardo & Co., of Milwaukee, one of the largest concerns in the West (with whom some of our Wheeling men have an extensive acquaintance) tried this experiment several years ago, and abandoned it in a short time as a failure. And yet there does not seem to be any essential reason why a successful business might not be carried on without the aid of drummers, provided the expense of the system was really, and not nominally, deducted in sales to customers. So few men in trade are alive to the necessity of perfect good faith in carrying out their promises to the very letter of fulfillment in order to achieve success in such an enterprise, that we fear a "new departure," such as is proclaimed in the circular before us, is hardly possible. And yet, as we have remarked, it might be made possible, and a large circle of intelligent and reliable customers might be secured, provided it became certainly known that an abatement from prevailing prices, equal to the cost of selling the goods through the drummer system, would be invariably secured by sending on voluntary orders.

The Electoral Bill.

The President returned this important bill to the Senate with his approval yesterday, and it is now a law.

To-day the grand Commission provided for in the bill will be organized. The House will name Garfield and Hoar, Republicans, and Payne, Hunt and Abbott, Democrats. The Senate will name Edmunds, Frelinghuysen and Morton, Republicans, and Thurman and Bayard, Democrats. The four Justices of the Supreme Court are Clifford, Field, Miller and Strong. It is announced in a Washington dispatch this morning that under no circumstances will Justice Davis consent to be the fifth Judge. Having been elected a Senator he no doubt feels that it would not be proper for him to act. In this decision he shows both patriotism and good sense. The fifth Justice will therefore be either the Chief Justice or else Swayne, Bradley or Hunt—quite possibly Swayne, in case the Chief Justice decides not to act. Of Justice Swayne's fitness for such a position, we have the following testimony from the Democratic editor of New York's *Times and Messenger*. Here is what he says:

"Judge Swayne was appointed by President Lincoln a Republican, his family connections are nearly all Republican. He came from the State of Ohio, which presents one of the contesting aspirants for the Presidency, also a Republican; yet we may say *sans peur et sans reproche*, as a Democrat, and a Democrat who believes his faith to be as unshakable in politics as in religion, that we know no gentleman in the land, Democrat or Republican, in point of sterling integrity and judicial capacity whom we would sooner see entrusted with the deciding vote of the committee than Judge Swayne."

Fifth Ward Councilmen.

It is reported that two Democratic members of Council from the Fifth Ward assisted in counting the vote of said ward, themselves, being candidates before the people. It is also rumored that council purposes contesting their election at the meeting this evening.

There is no doubt about the authority of the Council to judge of the election and qualification of its own members.

LEGISLATIVE NOTES.—On assembling yesterday morning, the members had their attention drawn to a notice, on the part of the House, to the effect that the Democratic caucus for last evening had been indefinitely postponed.

Monday can very appropriately be styled "resolution day," from the number of bills and resolutions that were presented. The members must have prepared their bills at the expense of their devotional duties.

The bill granting committee clerks \$4 and pages \$3 per diem and 5 cents per mile for travel, passed the House with but a feeble opposition.

Retirement was the watchword. The House went into Committee of the Whole yesterday, for the first time, with Mr. Farnsworth in the Chair.

The Judiciary amendment was under consideration and subjected to general amendments.

The name of County Court is retained in deference to the wishes of the Third district, while a portion of the substance is swept away. A rose would not smell so sweet by any other name.

Mr. Barr's proposition to fix by a constitutional provision the salary of the Judge of the Municipal Court, of Wheeling, at \$2,000 per annum, was withdrawn.

The question was raised on the propriety of the Judges of our courts accepting passes from railroads.

As yesterday was wash-day, visitors were scarce upon the galleries. Spectators were in the galleries yesterday, unaware that the House was not in session, anxiously watching for the fight. Requests for leave of absence are becoming numerous.

The Nervous System.

Dr. Dupuy, of London, lectured on Thursday evening at Cooper Institute, New York, upon "The Recent Advances in the Physiology of the Brain and Nervous System." Prof. E. L. Youmans introduced the lecturer, who spoke for an hour, illustrating his subject from time to time by means of the blackboard. The following is a synopsis of the lecture:

The nervous system is not an immaterial thing, on the contrary, it is a living, tangible subject for study and experiment. Nerves are composed of two classes of cells, the nerve cells and the nerve fibers. The nerve cells are found in the centers, and also in some of the cranial nerves. These fibers and cells may be distinguished by the microscope. As the fiber leaves the cell it is coated with a substance which insulates it, and this coating is nothing more than a system of cells. Nerves are composed of two classes, those of common and of special sensation. Nerves are also divided for those in sight, hearing, smelling, motion, etc. In addition there are the nerves which animate the blood vessels, making them expand or relax, thus regulating the blood pressure, and the nature of the substance carried by the nerves has not yet been discovered. Some have argued that it is electricity, but this has been disproved by experiments which show that it is not the same nature. Electricity will travel over a wire which has been broken, but if a nerve fiber has been broken, no communication takes place through it. Another proof that it is not allied to electricity is the difference in the speed of the nerve. Nerve force travels at the rate of only 500 feet per second, while electricity has a much greater speed. Then, too, the effect upon the nerve is not instantly removed as soon as the force ceases to act. This is illustrated by the manner in which the effects of strong lightning are felt for some time after a flash of lightning has passed.

Reflex action is an important part which the nerves play in their control of the body. It is stronger than the will. A man once undertook to swallow poison, but reflex action caused him to throw it away before he reached the stomach. The poison burned the throat, and he had to wait for some time after, no matter how much he wished to do so, he could not swallow food, reflex action being stronger than his will. An entrance was made into his stomach and food introduced. A very fine time this was done saliva collected in his mouth, and he was swallowing food. The same principle is shown in one endeavoring to hold his breath. He may succeed in doing so for a few seconds, and even until the heart has apparently ceased to beat. Meanwhile the blood has become charged with carbonic acid gas from lack of oxygen. This causes the nerves to exert their power suddenly, and the person is forced to breathe against his will by their violent action. The ability to recall past sensations and actions is due to the principle that when an impression is made on the nerve-cell something is retained which is latent, exactly as heat is latent in iron or steam. When a man dreams he draws upon this supply.

High Praise for Ben. Hill.

(Washington Special to N. Y. Tribune.) Benjamin Hill's speech was one of the sensations of the day. In the brief minutes allotted him he referred to his apprehensions in the early part of the session, and expressed gratification that they were no longer well founded, and that the passage of the bill would remove all fears. He supported the bill because it was "constitutional—wholly so; wise in every provision—remarkably so; just to all parties—eminently so; and closed with the declaration that in the pride of an American citizen he could not but feel that its decisions would be just. He expected its judgment on every important point to be unanimous. His voice was for peace. "The South," he said, "cries unto the North for peace; civil war vindicates no rights, corrects no wrongs, if you doubt it, the South says look here and be convinced." Mr. Hill was warmly congratulated for his speech, and a few minutes afterward received a dispatch announcing his election to the United States Senate. No man for up an hour, and the net loss, exclusive of interest and depreciation in the value of property, was \$1,795,000. Only six of the companies paid any dividend whatever, and the most fortunate of these six was one of the smallest of the companies, which divided 9 per cent. The Trusting Mining and Iron Company of Dusseldorf, with a capital of \$2,700,000, actually lost \$205,000 on last year's operations and \$215,000 on the year before. The net loss of the thirty-two companies in two years has been \$2,770,000.

Too Much for the Bar?

(From the Philadelphia Ledger.) Those who think the times are hard here in the United States, especially as connected with our leading industries, are invited to a careful study of the recently published statistics of the iron trade of Germany. The capital invested by thirty-two of the largest iron and steel manufacturing companies in that country amounts to \$75,000,000, and the net loss, exclusive of interest and depreciation in the value of property, was \$1,795,000.

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BY TELEGRAPH.

ASSOCIATED PRESS REPORT.

TO THE DAILY INTELLIGENCER.

WASHINGTON.

MESSAGE OF THE PRESIDENT.

He Signs the Compromise Bill.

THE ELECTORAL COMMISSION.

Davis Not the Fifth Judge.

Sargent's Report of the Florida Investigation.

Message of the President Approving the Electoral Bill.

WASHINGTON, January 29.—The following is the text of the President's message concerning the Electoral Bill, to the Senate of the United States:

"I follow the example heretofore occasionally presented of communicating in this mode my approval of the act to provide for and regulate the counting of the votes for President and Vice President, and the decision of questions arising thereon, because of my appreciation of the country from which, in my judgment, the act affords a wise and constitutional means of escape. For the first time in the history of the country, under the Constitution as it now is, a dispute exists with regard to the result of the election of Chief Magistrate of the Nation. The act provides for the settlement of the dispute by the electoral vote cast at the election by one or more of the States depends upon the question whether the one or the other of the candidates for the Presidency is the lawful Chief Magistrate. The importance of settling this question, by procedure, regulated by law, which of the two citizens has been elected, and, if having the right to this high office, recognized and cheerfully agreed in by all the people of the Republic, cannot be overestimated, and leads me to express to Congress my cordial and hearty approval of the measure that affords an orderly means of decision of gravely exciting questions. While the history of our country in its earlier periods shows that the President of the United States has been elected by the people, and the Constitution has been maintained, and the people have elected the result. For the first time then the government of the United States is now brought to meet the question as one vital to the result, and this under conditions of great difficulty, and the need to produce agreement or to induce calmness in the several branches of the Government or among the people of the country. In case where, as now, the result is involved it is the highest duty of the law makers to provide in advance a constitutional, and in the present case, a peaceful, and constitution in this most interesting and critical clause of its provisions. The doing so, far from being a compromise of right, is an enforcement of right and an execution of the powers conferred by the Constitution on Congress. I think this orderly method has been secured by this bill, which, appealing to the Constitution and law as a guide in ascertaining rights, provides means of deciding questions of single returns through the direct action of Congress, and in respect to double returns, by a tribunal of independent judges, whose decisions shall stand unless Congress shall concur in determining otherwise, thus securing a definite disposition of all questions of dispute in what without this law, as all of the States have voted, and as a tie vote is impossible, it must be that one of the two candidates has been elected, and it would be deplorable to witness an irregular controversy as to which of the two should receive or which should be considered the victor. In all periods of history, controversy has arisen as to the succession or the choice of the Chiefs of the State, and no party or citizen loving their country and its free institutions, can sacrifice too much of mere feeling in preserving through the peaceful and orderly method of the Constitution the peace and unity of the country. The bill purports to provide for the settlement of the questions arising from the recent elections. The fact that such questions can arise demonstrates the necessity which I cannot doubt, will, before long, be applied of a permanent general legislation, to meet the cases which have not been contemplated in the Constitution and laws of the country. The bill may not be perfect and its provisions may not be such as would be best applicable to all future occasions, but it is calculated to meet the present condition of the country, and of the country. The country is again in need of peace and quiet and harmony between all parties and all sections. Its industries are arrested, labor unemployed, capital idle, and enterprise paralyzed by reason of doubt and anxiety attending the uncertainty of the result. The bill purports to provide for the settlement of the questions arising from the recent elections. The fact that such questions can arise demonstrates the necessity which I cannot doubt, will, before long, be applied of a permanent general legislation, to meet the cases which have not been contemplated in the Constitution and laws of the country. The bill may not be perfect and its provisions may not be such as would be best applicable to all future occasions, but it is calculated to meet the present condition of the country, and of the country. The country is again in need of peace and quiet and harmony between all parties and all sections. Its industries are arrested, labor unemployed, capital idle, and enterprise paralyzed by reason of doubt and anxiety attending the uncertainty of the result. 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